

**BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, DC 20268-0001**

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

**Complaint on First-Class Mail
Service Standards**

Docket No. C2001-3

**DOUGLAS F. CARLSON
COMMENTS ON PROCEDURAL SCHEDULE**

September 27, 2002

Presiding Officer's Ruling No. C2001-3/31 directed me to comment on the procedural schedule by September 27, 2002.¹ This ruling was issued on the one-year anniversary of Order No. 1320,² which instituted a formal docket to hear this complaint.

Unfortunately, several outstanding discovery requests from intervenor David B. Popkin and me have been languishing for nearly one year. Perhaps most notorious of the unanswered discovery requests is my interrogatory DFC/USPS-13,³ which explores whether mail for which the service standard was changed from two days to three days, under the guise of the unreliability of air transportation, is still transported by air. In POR C2001-3/31, the presiding officer commented that the Postal Service's "failure to observe the latest deadline appears to represent a considered decision to decline to participate in this proceeding in a manner that would allow its fair and timely resolution." POR C2001-3/31 at 1. The presiding officer also noted that "fairness to the

¹ POR C2001-3/31, filed September 12, 2002.

² Order No. 1320, issued September 12, 2001.

³ Douglas F. Carlson Follow-up Interrogatory to the United States Postal Service (DFC/USPS-13), filed December 3, 2001.

complainant" is a factor "that cannot be ignored" in discussing the status of this complaint. *Id.* at 2.

At this time, I am unable to provide any specific information concerning the procedural schedule beyond the information that I provided on February 1, 2002, in my motion to suspend the deadline for filing my direct case.⁴ However, the decision in POR C2001-3/19⁵ to establish a deadline for filing direct testimony that is 4½ weeks after the Postal Service has filed all responses to outstanding discovery requests appears still to be the next reasonable step in advancing this case toward resolution.

Respectfully submitted,

Dated: September 27, 2002

DOUGLAS F. CARLSON

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon the required parties in accordance with section 12 of the *Rules of Practice*.

DOUGLAS F. CARLSON

September 27, 2002
Santa Cruz, California

⁴ Douglas F. Carlson Motion to Suspend Deadline to File Direct Case.

⁵ POR C2001-3, filed February 6, 2002.